

REMARKS

Claims 1-16 are pending in the instant application. In the most recent Office Action, claim 1 is rejected under 35 U.S.C. § 103(a) as allegedly obvious over U.S. Patent No. 4,725,956 to Jenkins (hereinafter, "Jenkins") in view of U.S. Patent No. 5,384,892 to Strong (hereinafter, "Strong") and further in view of U.S. Patent No. 5,714,948 to Farmakis, et al. (hereinafter, "Farmakis"). Claim 2 is rejected under 35 U.S.C. § 103(a) as allegedly obvious over Jenkins in view of Strong, further in view of Farmakis, further in view of U.S. Published Patent Application No. 2002/169613-A1 by Damiba (hereinafter, "Damiba"). Claims 3-5 are rejected under 35 U.S.C. § 103(a) as allegedly obvious over Jenkins in view of Strong, further in view of Farmakis, and further in view of U.S. Published Patent Application No. 2002/133347-A1 by Schoneburg (hereinafter, "Schoneburg"). Claim 6 is rejected under 35 U.S.C. § 103(a) as allegedly obvious over Jenkins in view of Strong, further in view of Farmakis. Claims 7, 11, and 12 are rejected under 35 U.S.C. § 103(a) as allegedly obvious over Strong in view of Jenkins. Claim 8 is rejected under 35 U.S.C. § 103(a) as allegedly obvious over Strong in view of Jenkins, and further in view of U.S. Published Patent Application No. 2002/161584-A1 by Lewis, et al. (hereinafter, "Lewis"). Claim 9 is rejected under 35 U.S.C. § 103(a) as allegedly obvious over Strong in view of Jenkins, and further in view of Schoneburg. Claims 10 and 13 are rejected under 35 U.S.C. § 103(a) as allegedly obvious over Strong in view of Jenkins, and further in view of U.S. Patent No. 6,356,869 to Chapados, et al. (hereinafter, "Chapados"). Claim 14 is rejected under 35 U.S.C. § 103(a) as allegedly obvious over Strong in view of Jenkins, further in view of Chapados, and further in view of U.S. Patent No. 6,839,670 to Stammler, et al.

(hereinafter, "Stammler"). Claim 15 is rejected under 35 U.S.C. § 103(a) as allegedly obvious over Strong in view of Jenkins, and further in view of U.S. Patent No. 6,314,402 to Monaco, et al. (hereinafter, "Monaco"). Claim 16 is rejected under 35 U.S.C. § 103(a) as allegedly obvious over Strong in view of Jenkins, and further in view of U.S. Patent No. 6,735,592 to Neumann, et al. (hereinafter, "Neumann"). Applicant respectfully traverses all rejections, for at least the following reasons.

Independent claim 1 recites a dialog processing system for an uninhabited air vehicle (UAV) comprising, *inter alia*, a control system that records a state of the UAV, and an interpretation unit dynamically linked to the control system, so that the interpretation unit utilizes UAV state data to interpret input data. The Office Action alleges that a combination of Jenkins and Strong suggests a control system that records the state of the UAV, and an interpretation unit dynamically linked to the control system utilizing UAV state data to interpret input data (Office Action, p. 3). Independent claim 7 recites a method of dialog processing for an uninhabited air vehicle comprising, *inter alia*, interpreting detected commands in context of dynamic UAV state information. The Office Action alleges that Strong teaches this step (Office Action, p. 7). Applicant respectfully disagrees.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *See, In re Rouffet*, 149 F.3d 1350, 1355, 47 USPQ2d 1453, 1457 (Fed. Cir. 1998). The absence of such a suggestion to combine is dispositive in an obviousness determination. *See, Gambro Lundia AB v.*

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Baxter Healthcare Corp., 110 F.3d 1573, 1579 , 42 USPQ2d 1378, 1383 (Fed. Cir. 1997). “The showing of a motivation to combine must be clear and particular, and it must be supported by actual evidence.” *Teleflex, Inc. v. Ficosa North American Corp.*, 299 F.3d 1313, 63 USPQ2d 1374 (Fed. Cir. 2002) (Citing *In re Dembiczak*, 175 F.3d 994, 999, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999)). Second, there must be a reasonable expectation of success. *See, In re Merck & Co., Inc.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Third and finally, the prior art reference, or references when combined, must teach or suggest all the claim limitations. *See, In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

The Office Action admits, as it must, that Jenkins does not disclose an interpretation unit using UAV data to interpret input data and generate appropriate output data. The Office Action avers that Strong teaches this feature. Applicant respectfully disagrees. Strong discloses a dynamic Language Model for Speech Recognition. In the Strong disclosure, the system is sole disclosed for use to control a personal computer operating system (Col. 2, lines 58-68; Col. 5, lines 18-25; Col. 7, lines 32-44). There is nothing in Strong that teaches or suggests the use of UAV data in the interpretation of input and generation of output in a UAV system. The disclosure of Strong would not enable one of ordinary skill to utilize UAV state data to interpret the input data to generate appropriate output data. Therefore, Strong does not teach the recited limitation of claims attributed to it. *Reading & Bates Construction Company v. Baker Energy Resources Corporation et al.*, 748 F.2d 645, 223 USPQ 1168 (Fed. Cir., 1984) (“[T]he reference itself must enable someone to practice the invention.”).

Moreover, because there is no teaching or suggestion in Strong regarding the use of a dynamic language recognition system in connection with UAV data, there is no expectation of success from the purported combination. The operating environment of a personal computer as compared to a UAV are so radically different to preclude any expectation of success without additional disclosure enabling one of ordinary skill in the art to integrate the two technologies. Such disclosure is not offered or implied in the prior art references.

Even presuming that Framakis teaches what is attributed to and that there is some objective motivation to combine the references, Framakis offers no teaching or suggestion to ameliorate the underlying deficiency of Jenkins and Strong relative to the independent base claims 1 and 7. Neither do the balance of the applied references, Damiba, Schoneburg, Lewis, Chapados, Monaco, or Neumann, taken singly or in any combination with any of Jenkins, Strong or Framakis. Therefore, Applicant respectfully submits that claims 1 and 7 are patentably distinguished over the prior art of record, and that the rejection of these claims is poorly taken. Favorable reconsideration and withdrawal is kindly requested.

Claims 2-6 and 8-16 each depend, either directly or indirectly, from independent claims 1 and 7, respectively. The rejection of each dependent claim relies upon the same combination of references applied to underlying independent claims 1 and 7, which has been obviated above. While these dependent claims are each separately patentable, they are offered as patentable for at least the same reasons as their underlying independent base claims.

In the interest of brevity, Applicant has addressed only so much of the rejection(s) as is considered sufficient to demonstrate the patentability of the claims. Applicant's failure to address any part of the rejection should not be construed as acquiescence in the propriety of such portions not addressed. Applicant maintains that the claims are patentable for reasons other than these specifically discussed, *supra*.

Therefore, in light of the foregoing, Applicant respectfully submits that all independent claims recites patentable subject matter, and kindly solicits an early and favorable indication of allowability of all claims. If the Examiner has any reservation in allowing the claims, and believes that a telephone interview would advance prosecution, she is kindly requested to telephone the undersigned at her earliest convenience

Respectfully submitted,



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